

April 20, 2011

William Clark
President
Association of Legal Professionals
c/o City Attorney's Office
200 E. Santa Clara Street
San Jose, CA 95113

RE: April 21, 2011 Meeting and Mediation on April 28, 2011

Dear Mr. Clark:

We are in receipt of the letter dated April 19, 2011, from the Association of Legal Professionals (ALP), regarding the mediation that has been scheduled for Thursday, April 21, 2011. First, let me confirm that we did present ALP's April 14th proposal to the City Council the morning of Tuesday, April 19th, and, while appreciative of the movement that ALP has made, the City Council has rejected your proposal for the reasons articulated in my letter of April 18th (at 1:57 p.m.). Given ALP's resistance to the language from the 2010 Tentative Agreement and insistence on a "zipper clause," we do not have a counterproposal. The Council's decision to reject ALP's proposal was independent of consideration of the budgetary proposal to reduce staffing levels in the City Attorney's Office in the next fiscal year.

Although we remain at impasse, the City understands that the announced position eliminations may create sufficient movement within ALP's membership to break the impasse. Therefore, we will meet with ALP on April 21, 2011, without a mediator and will postpone mediation until our scheduled meeting on April 28th. As we have previously stated, the City's goal is to come to a mutual agreement with ALP. We remain hopeful that Thursday's meeting or next week's mediation will help the parties achieve that goal.

Please let me know if you have any questions.

Sincerely,



Gina Donnelly
Deputy Director of Employee Relations

c: Vera Todorov, ALP Vice President
Brian Doyle, ALP Negotiation Team Member
Michael Dodson, ALP Negotiation Team Member
Barbara Jordan, ALP Negotiation Team Member
Charles Sakai, City Negotiation Team Member
Marco Mercado, City Negotiation Team Member